

**IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

<b>ADVANTAGE WAYPOINT LLC,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>-vs-</b>	)	<b>No.: 3:17-cv-01053</b>
	)	
<b>MICHAEL BAKER,</b>	)	<b>JUDGE: CRENSHAW</b>
	)	<b>MAGISTRATE: BROWN</b>
<b>Defendant.</b>	)	
	)	<b>(Jury Demand Endorsed Hereon)</b>
	)	
<b>MICHAEL BAKER,</b>	)	
	)	
<b>Counter-Plaintiff</b>	)	
	)	
<b>-vs-</b>	)	
	)	
<b>ADVANTAGE WAYPOINT, LLC</b>	)	
	)	
<b>Counter-Defendant</b>	)	
	)	
	)	
<b>MICHAEL BAKER,</b>	)	
	)	
<b>Third-Party Plaintiff</b>	)	
	)	
<b>-vs-</b>	)	
	)	
<b>DON DAVIS</b>	)	
	)	
<b>Third-Party Defendant</b>	)	

**JOINT MOTION FOR DISMISSAL WITH PREJUDICE  
AND FOR THE COURT TO RETAIN JURISDICTION**

Pursuant to Federal Rule of Civil Procedure 41, all parties to this action, through their respective undersigned counsel, jointly move for dismissal of all claims and counterclaims asserted in this case with prejudice. In support of thereof, the parties stipulate as follows:

1. On January 23, 2018, the Court entered a Preliminary Injunction Order (Doc. No. 79).

2. On April 3, 2018, the Court entered an Amended Preliminary Injunction Order. (Doc. No. 82).

3. On April 30, 2018, the parties also entered into a Confidential Settlement Agreement, memorializing the settlement terms and agreeing to fully resolve the claims and counterclaims in this lawsuit.

4. A provision of the Confidential Settlement Agreement is that this Court retain jurisdiction to enforce the Agreement between the parties, and over any matters or actions brought to enforce the Confidential Settlement Agreement.

WHEREFORE, based upon the foregoing, the parties respectfully request that the entire above-captioned action be dismissed with prejudice, each party to bear his/its own costs and fees. The parties further request that this Court retain jurisdiction to enforce the provisions of the Agreement.

Dated this 19<sup>th</sup> day of May 2018.

Respectfully submitted,

s/ J. Britt Phillips  
J. BRITT PHILLIPS, #20937  
CHRISTOPHER J. SCHROECK, #31875  
**Sutter O'Connell Co.**  
341 Cool Springs Blvd Suite 430  
Franklin, TN 37067

MICHAEL S. ADLER, pro hac vice  
**Tantalo & Adler LLP**  
1801 Century Park East, Suite 2400  
Los Angeles, CA 90067

*Counsel for Michael Baker*

s/ William S. Rutchow

William S. Rutchow, TN # 017183

Luther Wright, Jr., TN # 017626

**Ogletree, Deakins, Nash, Smoak &  
Stewart, PC**

401 Commerce Street Suite 1200

Nashville TN 37219

Bradford Newman

**Paul Hastings LLP**

1117 S. California Avenue

Palo Alto, CA 94304

Elena Baca

**Paul Hastings LLP**

515 South Flower Street

Twenty-Fifth Floor

Los Angeles, CA 90071

Justin M. Scott

**Paul Hastings LLP**

101 California Street, 48<sup>th</sup> Floor

San Francisco CA 94111

*Counsel for Plaintiff and Third Party  
Defendant*

### **CERTIFICATE OF SERVICE**

I hereby certify that on May 18, 2018, a copy of the Joint Motion for Dismissal was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's electronic filing system:

J. Britt Phillips  
Christopher J. Schroeck  
Sutter O'Connell Co.  
341 Cool Springs Blvd., Suite 430  
Franklin, TN 37067

Michael S. Adler, pro hac  
Tantalo & Adler LLP  
1801 Century Park East, Suite 2400  
Los Angeles, CA 90067  
(310) 734-8695  
e-mail: madler@ta-llp.com

s/William S. Rutchow

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